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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/768,956	01/24/2001	Gabor Fodor	040020-239	4275
37825	7590	12/14/2004	EXAMINER	
ERICSSON INC. 6300 LEGACY DRIVE M/S EVR C11 PLANO, TX 75024			LEE, PHILIP C	
			ART UNIT	PAPER NUMBER
			2154	

DATE MAILED: 12/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/768,956

Applicant(s)

FODOR ET AL.

Examiner

Philip C Lee

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 August 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 10-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

1. This action is responsive to the amendment and remarks filed on August 3, 2004.
2. Claims 10-14 are presented for examination.
3. The text of those sections of Title 35, U.S. code not included in this office action can be found in a prior office action.

Claim Rejections – 35 USC 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

5. The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the

reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

6. Claims 10-12 and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Sen et al, U.S. Patent 6,708,034 (hereinafter Sen).

7. Sen was cited in the last office action.

8. As per claim 10, Sen taught the invention as claimed for providing support for internet protocol signaling, wherein the mobile terminal is connected to a local user's terminal equipment and to a radio network (col. 2, lines 48-52), the method comprising the steps of:

terminating a resource reservation protocol message sent from the user's terminal equipment (col. 5, lines 1-11);

determining, based on parameters contained in the resource reservation protocol message, whether to create a new packet data protocol context or to modify an existing packet data protocol context (col. 7, lines 6-7; col. 5, lines 31-66); and

sending a request to create or modify the packet data protocol context through the radio network (col. 5, lines 67-col. 6, lines 5).

9. As per claim 11, Sen taught the invention as claimed in claim 10 above. Sen further taught comprising the steps of:

receiving a response to the request from the radio network (col. 6, lines 6-7);

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generating a resource reservation protocol message based on the contents of the response (col. 6, lines 8-27); and

sending the resource reservation protocol message to the local user's terminal equipment (col. 6, lines 8-27).

10. As per claim 12, Sen taught the invention as claimed in claim 10 above. Sen further taught comprising the steps of:

receiving a trigger that initiates the generation of a resource reservation protocol path message (col. 4, lines 29-34); and

sending the resource reservation protocol path message to the local user's terminal equipment (col. 4, lines 50-52).

11. As per claim 14, Sen taught the invention as claimed comprising:

a first interface to a local user's terminal equipment (col. 3, lines 10-15, 29-31);

a second interface to a radio network (col. 2, lines 2-4; col. 3, lines 16-21, 31-33);

a terminating unit for terminating resource reservation protocol (col. 5, lines 1-11); and

a translation unit for transforming resource reservation protocol message into a packet data protocol message and vice versa (col. 4, lines 22-27; col. 7, lines 6-7).

Claim Rejections – 35 USC 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sen in view of Puuskari, U.S. Patent 6,728,208 (hereinafter Puuskari).

14. Puuskari was cited in the last office action.

15. As per claim 13, Sen taught the invention as claimed for a gateway general packet radio service support node comprising the steps of:

transforming, by the gateway general packet radio service support node, quality of service related signaling according to an internet protocol into signaling according a resource reservation protocol, and vice versa (col. 5, lines 31-49).

16. Sen did not teach including Internet protocol quality of service information in packet data protocol context. Puuskari taught including internet protocol quality of service information in packet data protocol context (col. 5, lines 17-23; col. 10, lines 16-24).

17. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Sen and Puuskari because Puuskari's method of including internet protocol quality of service information in packet data protocol context would increase the reliability of Sen's system by guaranteeing that packets not conforming to the packet data protocol level quality of service contract are discarded first if needed (col. 5, lines 32-34).

18. Applicant's arguments with respect to claims 10-14, filed 08/03/04, have been fully considered but are not deemed to be persuasive.

19. In the remark applicant argued that

(1) Sen fails to disclose performing the steps of the invention in a mobile terminal as recited in the preamble of claim 10.

(2) Sen fails to teach a translation unit, within a mobile terminal, for transforming a resource reservation protocol message to a packet data protocol message and vice versa.

(3) Sen fails to teach transforming quality of service related signaling according to an internet protocol into signaling according a resource reservation protocol, and vice versa.

20. In response to point (1), Sen taught the invention as claimed in claim 10 above. Sen further taught the claimed invention being performed in a mobile terminal (e.g. a Serving GPRS Support Node (SGSN)). Although the cited column (col. 5, lines 31-66) describe a resource reservation protocol agent in the wireless network node (e.g. GGSN), Sen taught that the resource reservation protocol agent can reside on other node (col. 4, lines 36-40). This means that the second step of the claimed invention can be performed on another node (e.g. SGSN). Therefore, Sen taught the claimed invention being performed within a mobile terminal (i.e. within a SGSN).

21. In response to point (2), Sen taught the invention as claimed comprising transforming a resource reservation protocol message into a packet data protocol message and vice versa (fig. 6; col. 6, lines 36-52) within a mobile terminal (e.g. SGSN). Figure 6 showed a translation unit for transforming a resource reservation protocol message into a packet data protocol message is comprised in a mobile terminal (e.g. SGSN) in order to perform the transformation of “an update PDP context response” (e.g. 645, fig. 6) into “a RESV” message (e.g. 650, fig. 6).

22. In response to point (3), Sen taught transforming quality of service related signaling according to an internet protocol (e.g. PATH message) (col. 4, lines 41-43) into signaling according to a resource reservation protocol (e.g. RESV message) and vice versa (col. 5, lines 7-21).

23. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Lee whose telephone number is (571) 272-3967. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

Philip Lee

 JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100